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June 21, 2012

VIA REGULAR MAIL AND E-MAIL

Hon. William H. Pauley, III
United States District Judge
Southern District of New York
500 Pearl Street
Room 2210
New York, New York 10007

Re: United States v. Daugerdas, et al., No. S3 09 Cr. 581 (WHP)

Dear Judge Pauley:

We write in advance of Monday's scheduled conference call to advise the Court of certain matters that may impact the scheduling of a new trial in this case.

We represent Denis Field in his arbitration against BDO Seidman ("BDO"), Mr. Field's former employer, concerning BDO's refusal since January 1, 2010, to pay Mr. Field's attorneys' fees in this matter. As the Court is aware, the government has imposed freeze orders on Mr. Field's assets, leaving him with limited funds for his attorneys' fees. As a result, this Firm, which has represented Mr. Field since 2007, has incurred significant unpaid fees and costs related to pre-trial matters as well as the three month trial before Your Honor.¹ The arbitrator will hear argument on Monday, June 25th, and we anticipate a decision by approximately July 9th.

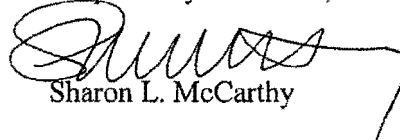
If Mr. Field prevails in his arbitration against BDO, we anticipate that, unless BDO attempts to appeal such a decision, our past fees will be paid and we will be compensated for future work in connection with representing Mr. Field in a new trial. If Mr. Field does not prevail in his arbitration, this Firm will be left with a significant unpaid balance which Mr. Field is without the means to pay. In that case, we will have no choice but to ask to be relieved as counsel in this matter.

¹ Should the Court wish to hear details of the attorneys' fees incurred to date by this Firm, we will provide that information *in camera*.

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We therefore respectfully request that no trial date be set until after the arbitrator issues his decision on BDO's obligation to pay Mr. Field's attorneys' fees.

Respectfully submitted,



Sharon L. McCarthy

cc: Encl.
All Counsel of Record (by e-mail)